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C O N F I D E N T I A L SEOUL 16714
E.O. 12065: GDS 12/16/86 (BLAKEMORE, DAVID OR-P
TAGS: SHUM PINS KS KN JA
SUBJECT: APPEAL FROM FAMILIES IN KIM DAE JUNG CASE
REF: SEOUL 14389
1. (C - ENTIRE TEXT)
2. THE EMBASSY HAS RECEIVED A COPY OF A DOCUMENT TITLED "AN APPEAL" WHICH RELATES TO THE KIM DAE JUNG (M-R: KIM DAE-CHUNG) CASE, SIGNED BY MRS. YUN IA-HWAN (M-R) ON BEHALF OF THE FAMILIES OF ALL THE DEFENDANTS. THE APPEAL WAS TRANSLATED AND BROUGHT TO US DECEMBER 15.

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3. THE APPEAL MAKES THE FOLLOWING POINTS:
-- THE TESTIMONY OF PROSECUTION WITNESS YUN HYO-JONG (M-R) (AKA YUK HEUNG-JIN) AT THE OCTOBER 29 SESSION OF THE APPELLATE COURT-MARTIAL WAS LACED WITH COMMUNIST TERMINOLOGY, E.G., REFERRING TO THE ROK AS "SOUTH CHOSUN," USING THE FORMAL NAME FOR THE DPRK, AND CALLING PEOPLE "COMRADES." THE DEFENDANTS HAD PROTESTED THE TESTIMONY OF AN APPARENT COMMUNIST AT THE TIME, TO NO AVAIL.
-- THE POLITICAL ORIENTATION OF YUN, WHO CLAIMS TO
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HAVE BEEN AN INFILTRATOR IN MINDAN FOR 15 YEARS, IS AT BEST QUESTIONABLE, AS SHOWN BY HIS PERSISTENT USE OF COMMUNIST VOCABULARY.
-- IF YUN IS STILL A COMMUNIST SYMPATHIZER, HIS TESTIMONY IS CLEARLY A MOCKERY OF THE ROK JUDICIAL PROCESS, YET HIS WAS THE MAJOR TESTIMONY AT THE APPELLATE COURT-MARTIAL.
-- YUN'S QUESTIONABLE LOYALTIES NOTWITHSTANDING, HIS TESTIMONY WAS ACTUALLY FAVORABLE TO KIM DAE JUNG, BUT THE COURT CHOSE TO IGNORE IT.
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-- THE COURT REFUSED TO BELIEVE THE TESTIMONY OF DR. LEE TAE-YOUNG (M-R: YI TAE-YONG,, KOREA'S FIRST WOMAN LAWYER, DURING THE FIRST COURT-MARTIAL. THE COURT ALSO REFUSED TO ACCEPT THE WORD OF KIM DAE JUNG HIMSELF, A MAN WHO HAD GOTTEN 46.7 PERCENT OF THE VOTE IN THE 1971 PRESIDENTIAL ELECTION.
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY H. Temple DATE 8/18/82
PORTIONS DENIED AS INDICATED

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-- THE FAMILIES REMEMBER THE CASE OF DOUBLE AGENT LEE SOO-KUN (M-R: YI SU-KUN) (A NORTH KOREAN WHO PRETENDED TO DEFECT TO THE SOUTH IN 1967 AND WAS ABOUT TO RETURN TO THE NORTH WHEN HE WAS CAUGHT AND EXECUTED TWO YEARS LATER). THE FAMILIES "THEREFORE APPEAL TO THE SUPREME COURT TO BE CERTAIN THAT THEY ARE NOT RESPONSIBLE FOR SACRIFICING THE LIFE OF KIM DAE JUNG ON THE STRENGH OF EVIDENCE FROM A MAN WHO COULD STILL BE INVARIBLY LOYAL TO NORTH KOREA*"

-- THE FAMILIES BASE THEIR APPEAL ON THE GROUND THAT THE PROSECUTION "ON DECEMBER 6 OFFICIALLY NOTIFIED THE DEFENDANTS THAT "THERE ARE NO LEGAL IRREGULARITIES

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CONCERNING WITNESSES IN THIS CASE."

3. THE APPEAL IS DATED DECEMBER 12 AND IS ADDRESSED TO ANYONE WHO MAY READ IT. GLEYSTEEN

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